

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CURTIS BAKER,)	
)	
Plaintiff,)	Civil Action No. 15-1674
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Lisa Pupo Lenihan
MOON AREA SCHOOL DISTRICT,)	
<i>et. al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On February 16, 2021, the Magistrate Judge issued a Report (Doc. 108) recommending that Plaintiff's Motion for Summary Judgment (Doc. 97) be granted only with respect to Defendants' counterclaim for breach of contract, and that Defendants' Motion for Summary Judgment (Doc. 98) be granted only as to the dismissal of the individual Defendants. Service of the Report and Recommendation ("R&R") was made on the parties, and Defendants filed Objections,¹ to which Plaintiff filed a Response in Opposition. *See* Docs. 109 and 110.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections and Response thereto, the following Order is entered:

¹ To the extent Defendants have any issues regarding damages, the Court agrees with Plaintiff that such issue is not before this Court on summary judgment and such a decision is appropriately posed to and determined by a jury.

Plaintiff's Motion for Summary Judgment (**Doc. 97**) is granted only with respect to Defendants' counterclaim for breach of contract and otherwise denied. Defendants' Motion for Summary Judgment (**Doc. 98**) is **GRANTED** only as to the dismissal of the individual Defendants; and the R&R is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

March 23, 2021

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record